### CASE OF CAPTAIN CARTER.

UNPRECEDENTED DELAY IN ACTING ON HIS SENTENCE.

MORE THAN A YEAR SINCE THE VERDICT

WAS RENDERED-PROMPT ACTION ON

Washington, Aug. 25 .- On April 20, 1898 Oberlin M. Carter, captain of engineers, United States Army, was convicted by a court martial of stealing \$1,700,000 from the Federal Governent while in charge of the improvement of Savannah Harbor, gross neglect of duty, and conduct unbecoming an officer and a gentleman. The sentence imposed was dismissal from the army, to pay a fine of \$10,000 and to be imprisoned at hard labor for five years.

On May 1, 1898, the records in the case mached the Secretary of War, who immediately seausmitted them, according to the usual custom, to the Judge Advocate General for review. The case was examined by Judge Advocate General Lieber, the findings of the court martial were approved and the case was resubmitted to the Secretary of War on July 3, 1898. General Alger, then Secretary of War, forwarded the findings to the President on July 10, 1898, and from that date to the present time it has hung Five thousand dollars was paid to ex-Senator Edmunds to review the case and render a it is said, that Mr. Edmunds found no flaw in the decision of the court martial. The case was then sent to the Attorney General for an orinion on technicalities raised by Wayne Mac-Veach employed by the defendant, and it has

#### AN INTERESTING COMPARISON.

The Carter case is without a parallel in the distory of the country, considering the amount money embezzled. A comparison, however, with other cases which have arisen in the last anoney from the Government, and the punishment meted out to them by court martial, the findings of which were promptly approved by former Presidents of the United States, is interesting, in view of the unprecedented delay 'in the final disposition of this now famous

On May 24, 1883, Major James R. Wasson, paymaster at San Antonio, Tex., was charged with the embezzlement of \$20,000 while statloned at Galveston. A court martial was or-Major Wasson guilty, wind he was sentenced to dismissal from the service and to be confined at hard labor in penitentiary as the proper authoridesignate for a period of eigh months, and that the crime, t, name and place of abode of the ac-War, and lastly by President Arthur, on June 28, 1883, just one month and four days after he decision was first rendered. The State Penitentiary at Lansing, Mich., was designated

exceed five years A determined effort was de to secure Executive clemency by Major Neison's friends in New-York, which resulted in a delay of nearly three months, but, after a thorough examination of the case, President Haves approved the full sentence on January 21,

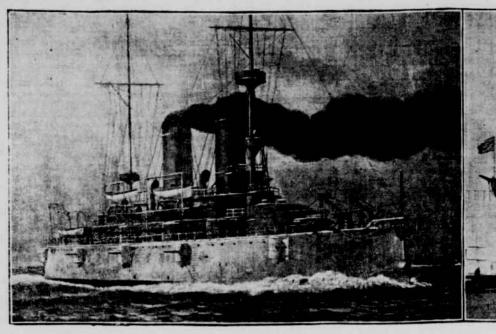
October 17, 1890, at Fort Clark, Texas, where First Lieutenant George L. Turner, of the 18th Infantry, was convicted by court martial of disedience of orders and of embezzlement of the CARTER STILL AT NEW-YORK ATHLETIC regimental band funds, amounting to \$643 13. He was sentenced to be dismissed from the service and to be confined until he restored the band funds for ndt more than three years. Friends of the lieutenant vigorously protested against the sentence of the court martial, and tried to induce President Harrison to disapprove the findings. After a careful examination of the case President Harrison refused to interfere, whereupon friends of the officer paid the amount embezzled, and he was dishonorably dismissed from the service.

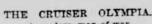
Another similar case was that of Captain George T. Olmstead, who embezzied, while in charge of certain military telegraph lines in the Department of Arizona, nearly \$2,000. He was tried by court martial at Fort Leavenworth. Kansas, July 9, 1884, and sentenced to dismissal from the service and the payment of a fine of \$2,000, the amount embezzled. The fine imposed was promptly paid, and President Arthur approved the sentence of dismissal October 6,

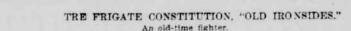
THREE CASES IN THIS ADMINISTRATION. First Lieutenant John M. Neall 4th Cavalry, was tried by court martial March 24, 1899, in California, for failure to render an account of post exchange funds of Troop B. 4th Cavairy. Before the trial occurred, however, his friends paid the amount of his embezzlement, and after a hearing of the case he was found guilty by court martial and sentenced to dismissal from the service. An effort was made to secure the

reversal of the decision of the court martial, but on July 5, 1899. President McKinley approved the sentence.

Another case of particular interest at this time is that of Captain Leonard A. Lovering, who was tried by court martial at Fort Sheridan. Illinois, November 4, 1897, charged with conduct prejudicial to good order and military discipline in cruel treatment of Private Charles







Hammond, Company G. 21st Infantry. He was found guilty and sentenced to be reprimanded by the reviewing authorities, the punishment by the reviewing authorities. the pre-being made thus light on account of the pre-vious bad character and repeated acts of in-vious bad character and repeated acts of insubordination of Private Hammond. The sentence was approved by President McKinley December 6, 1897, who expressed regret that "an offence so grave should have been visited with a penalty so light."

On August 18 and 24, 1837, Second Lieutenant William H. Morford, 3d Infantry, was charged with conduct unbecoming an officer and a gentleman in violation of the Sixty-first Article of War, for obtaining money under false pretences. He was found guilty by a court martial and sentenced to be dismissed from the service of the United States on October 8, 1897. The was promptly approved by President

#### PUNISHMENT OF EMBEZZLERS.

curred in the last twenty years, and the officer has been found guilty, he has been promptly dismissed from the service and either sentenced to a term in the penitentiary or compelled to make good the amount of the embezziement, and in some cases a sentence of both fine and imprisonment has been imposed.

Only in case of insubordination, where the cer was absent without leave, or was drunk, or failed promptly to carry out the orders of his tences imposed. On June 9, 1893, Captain Bailey. of the 4th Cavalry, was tried by court martial at Boisé Barracks, Idaho, charged with borrow ing money from a non-commissioned officer and failing to pay the same, and also with borrowing money from the servant of another officer and failing to repay her. He was found guilty and sentenced to be dismissed from the service. was promptly approved by President Cleveland.

Chaplain H. V. Plummer, 9th Cavalry, charged with conduct unbecoming an officer and a gentleman at Fort Robinson, Nebraska, August 17, 1894, in drinking with enlisted men of the 9th Cavalry. He was found guilty by a court martial, and sentenced to be dismissed from the service, which sentence was promptly approved by President Cleveland.

approved by President Cleveland.

Another case illustrative of the discipline of the Army is that of Captain Charles G. Ayers, of the 10th Cavalry, who was tried by court martial at Fort Keogh, Montana, for conduct unbecoming an officer, in making charges against Captain Willam Davis, ir., of the 10th Cav-alry, and with disrespect to his commanding officer in continuing to forward letters to the set aside the findings of the court martial, or October 28, 1896, giving as his reason that the

tion of the records of the War Department that

Captain Oberlin M. Carter, who was convicted by funds, is still a member in good standing of the islands for June, 1898 and 1899, and the receipts and ourt martial of misappropriating Government New-York Athletic Club, and he continues to occupy a room at the handsome clubhouse of the organization in Central Park South. According to

action with regard to Captain Carter. The officers action with regard to Captain Carter. The officers seem disinclined to discuss the matter, but they admit that no action has been taken, and intimate that none will be taken until the case has been disposed of finally at Washington. The matter has not been brought before the Board of Governors, and the House Committee has done nothing. General Thomas L. Whison, the president of the club, was seen at his office, in Broadway, yesterday. He said that the officers of the club were aware that Captain Cartis retained his room and that he are his breakfast there almost every morning. He did not consider that it was the duty of the club to take any notice of Captain Carter until after President McKinley has decided the case finally.

NEW POURTH-CLASS POSTMASTERS. Washington, Aug. 25.-The following were among the fourth class postmasters appointed to-day

Connecticut-Riverton Charles F. Rowley; South Canaan, Miss E. L. Prentice; Westminster, Irving F. Palmer; Winchester Centre, Wilhur M. Bronson, New-York-Jewettville, Mrs. Jennie Spaulding.

WASHINGTON MONUMENT STRUCK.

Washington, Aug. 25.-A report made to the War Department by Colonel Theodore Bingham, the en. gineer officer in charge of public buildings and grounds, notes the fact that the Washington Monu-ment was struck by lightning in an electrical storm on July 13, but sustained no serious damage. A curious coincidence is that each time the monument has been struck by lightning the fluid has left the column at about the same place, namely the fifty-

ARMY AND NAVY ORDERS. Washington, Aug. 25.-The following Army and Navy orders have been issued:

Captain WILLIAM J. WAKEMAN, assistant surgeon, will proceed to Camp Meade and examine certain re-cruits for the 28th Infantry, who have been reported unfit for service.

I Lleutenant JOHN P. HASSON, 55th Infantry, ill report to the commanding officer 35th Infantry, incourse Barracks, for duty.

Lieutenant ALEXANDER C. M'KELVEY, 11th Infantry, incourse Barracks for duty.

Colonel JOSEPH H. DORST. Min Infantry, will proceed from New-York City to Fort Snelling for duty pertaining to the organization of his regiment.

Becond Lieutenant THEODORE LEVACK, 44th Infantry, will proceed to Fort Leavenworth for duty.

Second Lieutenant FRED W. MILLS, Jr. 43d Infantry, will proceed to Fort Estan Allen for duty.

Will proceed to Fort Estan Allen for duty.

Asing Assistant Surgeon ODILLION B. WEED will report to the commanding officer. Fort Wayne, for duty.

Acting Assistant Surgeon William F. BERNART, n at Hot Springs, Ark., will report to the commandi officer, Army and Navy General Hospital, for duty

THE LYNCHING OF ITALIANS.

Washington Aug. 35.-It is wait at the State De partment that the report of the probable settle-ment of the recent Italian lynchings in Louisiana on the basis of a \$50.00 indemnity is incorrect, as no such proposition has come from the Italian auno such proposition has come from the Depart thorities or is under consideration by the Depart ment. The last word from Count Vici was to the effect that the Italian authorities were chiefly in terested in having the guilly persons punished, and until action to this end was taken there was n

#### THE FINANCES OF HAWAII,

has received from the Auditor General of Hawaii a comparative statement of the imports in expenditures for July, 1896 and 1899. It shows a net increase in the importations from the United States since the islands came under American sovereignty Imports from the United States in June, 1898, the Imports from the United States in June, 1898, the made himself obtrusive in any sense, and he is modest in deportment and is not given to display. His room is one of the ordinary sort, and it is not as expensive or extravagant in its fitting as some of those occupied by other members.

Surprise has been expressed in many quarters that the officers of the club have not taken some

#### RENOVATING THE BLUE PARLOR.

Washington, Aug. 25.-The Blue Parlor of the White House, the scene of many important state functions, is undergoing a thorough overhauling, with a view to a general improvement in its appearance. The old mirror has been removed the wall, the furniture is to be regided and holstered, and the ceiling cornice is to be re-with one of new design.

APPOINTMENT BY SECRETARY ROOT.

Washington, Aug. 2s.—The Secretary of War has appointed Alexander R. Speel, of St. Paul, chief of appointed Division of Customs and Insular Affairs of the War Department, in place of Major John J. Pershins, who has been ordered to Manila for duty on the staff of General Otis.

#### CHAUTAUQUA SEASON ENDED.

Chautauqua, N. Y., Aug 25.—The Chautauqua Assembly for 1869 closed last night. There were no formal closing exercises The programme was kept up to its high standard to its last number. The crewd began thinning out the first of the week, and not more than two thousand or three thousand persons were left on the ground for the closing meeting.

meetings.

The attendance throughout has been the largest in the history of the movement, and the season closes with the brightest prospects ever had by the association. Many valuable improvements are to be begun at once and some fine new buildings will be creeted before the opening next year.

#### TO PROMOTE UNIFORMITY OF LAWS.

Buffalo. Aug. 25 .- A number of members of the State Board of Commissioners for Promoting Uniformity of Laws met here to-day. Judge Lyman B. Brewster, of Connecticut, the president, was in the chair. F. J. Stireson, of Boston, resigned as secretary, Messrs, Henschell, of New-York, and Ives, of Connecticut, were chosen temporary secretaries pending the election of a permanent secretary to-

After routine business the convention took up the report of the Committee on Marriage and Divorce, which had agreed upon a draft of "an act to estab-lish a law uniform with the laws of other States relative to divorce and divorce proceedings."

This act was discussed at some length, and will be further considered to-morrow. It was reported to the conference that the bill drafted by the con-ference of 187 on the law of negotiable paper had been adopted by the legislatures of sixteen States and also by Congress for the District of Columbia.

#### QUIGG'S REALTY PURCHASE.

Friends of Lemuel Ely Quigg were pleased to hear yesterday that he had purchased the house at No. 435 West End-ave., because the purchase indicated his continued prosperity. Since he ceased to there is no salary attached to his position as president of the Republican County Committee, but Mr Quigg has declared that he would not accept an office because he had business plans. Mr. Quigg has an expensive set of rooms on the eighteenth floor of the American Surety Building, but the nature of his business has not be in disclosed to

State Committee, Lieutenant Governor Woodruff

## "OLD IRONSIDES" HISTORY

RECOLLECTIONS CALLED UP BY THE PLAN TO BRING HER HERE.

CONTRAST BETWEEN THE CONSTITUTION AND THE OLYMPIA-GALLANT WAR-SHIPS OF THE PAST AND

That most gallant of our earlier naval vessels, the sides," which has been spending an honorable old the quiet retirement of the Portsmouth Navy Yard until recently, when she was sent to Boston, may again be put in commission and carry hauled down in 1881, after being borne gallantly of the Dewey Recention Committee to bring the take part in the coming reception to Admiral Dewey and afford a visible comparison to the welcoming thousands and to the galiant Admiral himself between the earliest and latest prides of the American

the other of steel. The first is so perfect a type equal combat, with ships of equal power or out was the guiding and directing spirit, destroyed empire in the Far East. The beginning and the end, the "Old Ironsides" and the new. Both hav

and first commissioned February 5, 1896. Sh ond class armored cruiser, carrying armor varying nsists of ten 5-inch rapid fire guns and for Whitehead torpedoes. Her displacement is 5,870 tons, and she requires 34 officers and 416 men. hull and machinery cost \$1,796,000. She was ched to the Asiatic station.

In May, 1898, her name became known the world through the battle of Manila Bay. In that fight she was commanded by Captain Charles Vernon Gridley, who later, on his way home on sick leave, died at Yokohama, Japan. Much of the success of this battle was due to Captain Gridley. and his unfortunate death in a far away land approval among the citizens of New-York. Many should not interfere with the fame that is due expressions were heard yesterday by a Tribune reshould not interfere with the fame that is due him, nor should his countrymen forget the service

he did for them The Constitution, "Old Ironsides," as she has been lovingly called for almost a century, was one of six frigates whose keels were laid in 1794, and the third and most famous vessel to fly the flag of the United States Navy after the adoption of the Constitution of the United States. The United States was the first, and the Constellation the second. Built of live oak, and with timbers bent without the use of steam, from her strength she took her name, "Old Ironsides." Her tonnage was 1,885 and her cost \$302,718. Launched October 21, 1795, she started on her first cruise in July, 1798, under Cap-

tain James Nichols, but the new century had been rung in for four years when she saw her first

active service. As Commodore Preble's flagship in

1804, in the war with the Barbary pirates, Tunis was for the third time bombarded. The Constitution ran within a short distance of the Castle, silenced its guns and spread destruction among the enemy's gunboats. Cruising followed this exploit, until there loomed large on the horizon the War of 1812, in which she was to play so great and glorious a part.

War of 1812, in which she was to play so great and glorious a part.

Carrying forty-four guns and commanded by that most resourceful of naval captains, Isaac Huil, she sailed from Annapolis on June 12, 1812, and at 10 of the morning of July 17 found herself nearly surrounded by the British squadron of Broks. Towed by boats, rowed by her hardy crew, with the British squadron, towed in like manner, in full pursuit, the chase lastes until the second day, when, a breeze springing up, the Constitution escaped, the nearest British ship being then but four short miles away, and that the Guerrière she was later so signally to defeat.

THE DEFEAT OF THE GUERRIERE.

# On August 19 she again encountered the Guerriere,

this time alone, and a most victous and sanguinary Times" to acknowledge regretfully that for the first ime in the history of the world did an English

On December 14 of that year she was formally

porter from men in various walks of life that General Carroll had hit the nail on the head when he offered that proposition and that the contrast which would be afforded by such an early type of naval architecture with Dewey's famous modern warship, the Olympia, would be both picturesque and increments.

These expressions of approval were coupled in most cases with an earnest hope that the Navy Department would find the suggestion to be both advisable and expedient.

at another table sat McCreary and a companion.
McCreary made some remark which was overheard
by one of the students, and he walked up to McCreary and asked:
"Did I hear you say something about us?"
"Yes, you did," said McCreary. "I said you were

NOT GUILTY OF WILFUL DESERTION.

ROBERT L. READE WINS THE SUIT HE EROUGE AGAINST THE CONTINENTAL

down a decision, in the suit brought by Robert L. Reade against the Continental Trust Company grew out of a marriage agreement between Mr. Reade and his wife. Martha. Soon after their Reade. Asa Bird Gardiner was made trustee.

The trust included a large parcel of real and personal property. By the terms of the agree Mr. Reade the net income of the trust. also provided that on Mr. Reade's written request the trustee was to pay him \$1.000 annually out of the principal unless he should wilfully desert his wife. In the latter case one-half of the income and \$1.500 of the \$1.000 was to be given to Mrs. Reade. The remainder was to be given to Mr. Reade. These conditions were to prevail so long as the wilful describin lasted.

It was further provided that in case of the laster. Mrs. Reade, before her hard and hard proposed.

These conditions were to prevail so long as the wilful desertion lasted.

It was further provided that in case of the death of Mrs. Reade before her husband the property was to revert to him. In case he died first Mrs. Reade was to receive the entire property. In February, 187, Mr. Reade, on the advice of his wife, entered a sanitarium. Later he went to Bioomingdale Asylum. Mrs. Reade was appointed a committee of his person and estate. In the mean time the Continental Trust Company was appointed trustee in place of Mr. Gardiner.

Some time ago Mr. Reade was released from Bioomingdale. He thereupon wrote an affectionate letter to his wife, saying that he believed he was permanently cured, and suggested that they begin married life anew. To this and other endearing letters Mrs. Reade it is alleged, paid no attention. Finally Mrs. Reade absolutely refused to live with her husband again. Mr. Reade then began an action against the Continental Trust Company, as trustee, to compel them to pay to him the net income of the trust, and the \$5.000 provided for in the trust. In her refusal to live with her husband Mrs. Reade pleaded that he had no home to give her except that which was already hers.

SUIT OVER LYRIC THEATRE SALE.

BROUGHT BY A. H. CHAMBERLYN, WHO SAYS HE Adolph H. Chamberlyn has brought suit in the

United States Circuit Court against the Fifth Avehe alleges is due him as commission for effecting the sale of the lease of the Lyric Theatre. In his sloyed by the defendants between November 39 and the theatre to Charles Frohman, William Harris agreed to rent the theatre either to the plaintiff of five or six years, at an annual rental of \$25, ants to light and heat the theatre and have the programme privileges.

is alleged in the complaint, the defendant promised is alleged in the complaint, the defendant promised to pay to plaintiff as compensation such excess of rent. He renewed negotiations theretofore pending, and it was agreed to rent the theatre for the form of five years at an annual rental of \$31,000, the defendant to furnish light and heat without charge and have the programme privileges. The defendant accepted the proposition, and on January is last executed a lease for the term of five years at an annual rental of \$31,000. The plaintiff alleges that his services were fairly worth the sum of \$30,000 and that defendant had promised and agreed to pay that sum.

#### STONE DESCENDANTS' REUNION. New-Haven, Conn., Aug. 25 (Special).-The de-

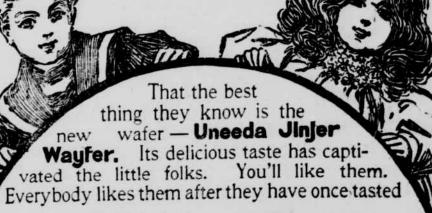
scendants of John Stone, who was the leader of one of the Puritan parties who came to the United was the founder of Quinepiac (now New-Haven). The suggestion made by General Howard Carroll that the Navy Department should send the Constitution, formerly known as "Old Ironsides," here from Boston Harbor, in order to play a spectacular part of rure interest in the Dewey celebration, seems to be meeting with widespread approval among the citizens of New-York, Many expressions were heard yesterday by a Tribune reporter from men in various walks of life that General Carroll had hit the nail on the head when he offered that proposition and that the contrast which would be afforded by such an early type of naval architecture with Dewey's famous modern warship, the Olympia, would be both picturesque and instructive.

These expressions of approval were coupled in most cases with an earnest hope that the Navy Department would find the suggestion to be both advisable and expedient.

\*\*ROBERT MCREARY DISCHARGED.\*\*

Robert McCreary, an owner of lighters and tugs, living at Eighty-third-st, and Amsterdam-acc, was arraigned before Magistrate Brann in the Centre-st, police court yesterday morning charged with disorderly conduct and intoxication. On Thursday disorderly conduct and intoxication. On Thursday charges S. Smith, Terryville, Conn.; treasure, Charles O. Stone.

# The Children



Uneeda Jinjer Wayfer

You've never tasted anything like it. A new flavor, a new crispness, a new delicacy. Baked by the best bakers in the leading bakeries. Get a box and try them. Packed in a new air tight and moisture proof box which keeps in the goodness-keeps them fresh and crisp until you want them.

Have you tried Uneeda Biscuit? NATIONAL BISCUIT COMPANY.



cause of

Uric Acid or Gout Poison.

Springs 1 and 2.

Dr. ALEXANDER HAIG, London, in his work "Uric Acid in the Causation of Disease." gives Excess of Uric Acid in the Blood as the

Gout, Rheumatism, Calculi of the Kidney and Bladder, Albuminuria and Bright's Disease, Heart Affections, Heart Failure, Epilepsy, Convulsions, Anæmia, Hysteria, Nervous Headache, Mental Depression, Mental Fatigue, Insomnia, Suicide, Asthma, Bronchitis, some forms of Indigestion, Eczema, and other skin diseases.

BUFFALO LITHIA WATER Dissolving and Eliminating Uric Acid and its salts from the system, is attested by an army of physicisms as both a powerful REMEDY FOR and PREVENTIVE of these and all conditions caused by URIC ACID POISON.

Dr. James Shelton, for 30 years Resident Physician at the Springs, says:

BUFFALO LITHIA WATER of URIC ACID in the BLOOD approach more nearly to a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to me whether among Medicines or Mineral Waters. Spring No. 1, is a specific than any other Remedy known to a specific than a specific than any other Remedy known to a specific than any other Remedy known to a specific than a specifi memic, Feeble and Exhausted subjects and also in cases complicated with Nervous Indigestion, the composition of the common primary is the absence of these indications No. 2 is to be preferred."

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be a Member of Congress there have been several reports that he would seek an appointive office, as Senator Platt, Chairman Odell of the Republican

and Mr. Quigg have had several talks at the